

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

ORLANDO MCKNIGHT #575768

CIVIL ACTION NO. 20-cv-1090

VERSUS

JUDGE S. MAURICE HICKS, JR.

JERRY GOODWIN ET AL

MAGISTRATE JUDGE HORNSBY

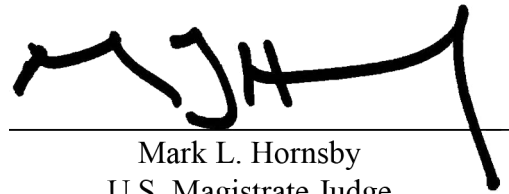
MEMORANDUM ORDER

Orlando McKnight (“Plaintiff”) is a self-represented prisoner who was once housed at the David Wade Correctional Center. He filed this civil rights action against several prison officials based on a variety of claims. Defendants filed a motion for summary judgment, and the undersigned issued a report and recommendation that recommended a claim for denial of right to attend a cousin’s funeral be denied on the merits. It was further recommended that the remaining claims, including religious matters and a desire for vegetarian meals, be dismissed for failure to exhaust administrative remedies before filing suit.

After the report and recommendation issued, Plaintiff filed a Motion for Clarification (Doc. 67) in which he asked for clarification on certain claims presented in his pleadings that he believes have been overlooked. He refers to a filing on May 5, 2022 (Doc. 45) that was titled “Declaratory.” The filing asked for an extension of the deadline to file a motion for summary judgment, which was granted. The filing also stated that Plaintiff had recently filed or refiled grievances related to religion and vegetarian diet matters.

There is nothing in that filing that warrants further attention from the court beyond the analysis in the report and recommendation. If Plaintiff is suggesting that he has cured his failure to exhaust certain claims by filing new post-suit grievances, that is not sufficient. Wendell v. Asher, 162 F.3d 887 (5th Cir. 1999) (unexhausted claim must be dismissed even though exhausted days after suit was filed.) Accordingly, the **Motion for Clarification (Doc. 67)** is **denied**.

THUS DONE AND SIGNED in Shreveport, Louisiana, this 21st day of February, 2023.



Mark L. Hornsby
U.S. Magistrate Judge